

In the Senate of the United States,

December 17, 2007.

Resolved, That the bill from the House of Representatives (H.R. 3690) entitled “An Act to provide for the transfer of the Library of Congress police to the United States Capitol Police, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “U.S. Capitol Police and*
3 *Library of Congress Police Merger Implementation Act of*
4 *2007”.*

5 ***SEC. 2. TRANSFER OF PERSONNEL.***

6 *(a) TRANSFERS.—*

7 *(1) LIBRARY OF CONGRESS POLICE EMPLOY-*
8 *EES.—Effective on the employee’s transfer date, each*
9 *Library of Congress Police employee shall be trans-*
10 *ferred to the United States Capitol Police and shall*
11 *become either a member or civilian employee of the*

1 *Capitol Police, as determined by the Chief of the Cap-*
 2 *itol Police under subsection (b).*

3 (2) *LIBRARY OF CONGRESS POLICE CIVILIAN EM-*
 4 *PLOYEES.—Effective on the employee’s transfer date,*
 5 *each Library of Congress Police civilian employee*
 6 *shall be transferred to the United States Capitol Po-*
 7 *lice and shall become a civilian employee of the Cap-*
 8 *itol Police.*

9 (3) *TREATMENT OF LIBRARY OF CONGRESS POLICE*
 10 *EMPLOYEES.—*

11 (1) *DETERMINATION OF STATUS WITHIN CAPITOL*
 12 *POLICE.—*

13 (A) *ELIGIBILITY TO SERVE AS MEMBERS OF*
 14 *THE CAPITOL POLICE.—A Library of Congress*
 15 *Police employee shall become a member of the*
 16 *Capitol Police on the employee’s transfer date if*
 17 *the Chief of the Capitol Police determines and*
 18 *issues a written certification that the employee*
 19 *meets each of the following requirements:*

20 (i) *Based on the assumption that such*
 21 *employee would perform a period of contin-*
 22 *uous Federal service after the transfer date,*
 23 *the employee would be entitled to an annu-*
 24 *ity for immediate retirement under section*
 25 *8336(b) or 8412(b) of title 5, United States*

1 *Code (as determined by taking into account*
2 *paragraph (3)(A)), on the date such em-*
3 *ployee becomes 60 years of age.*

4 (ii) *During the transition period, the*
5 *employee successfully completes training, as*
6 *determined by the Chief of the Capitol Po-*
7 *lice.*

8 (iii) *The employee meets the qualifica-*
9 *tions required to be a member of the Capitol*
10 *Police, as determined by the Chief of the*
11 *Capitol Police.*

12 (B) *SERVICE AS CIVILIAN EMPLOYEE OF*
13 *CAPITOL POLICE.—If the Chief of the Capitol Po-*
14 *lice determines that a Library of Congress Police*
15 *employee does not meet the eligibility require-*
16 *ments, the employee shall become a civilian em-*
17 *ployee of the Capitol Police on the employee's*
18 *transfer date.*

19 (C) *FINALITY OF DETERMINATIONS.—Any*
20 *determination of the Chief of the Capitol Police*
21 *under this paragraph shall not be appealable or*
22 *reviewable in any manner.*

23 (D) *DEADLINE FOR DETERMINATIONS.—The*
24 *Chief of the Capitol Police shall complete the de-*
25 *terminations required under this paragraph for*

1 *all Library of Congress Police employees not*
 2 *later than September 30, 2009.*

3 (2) *EXEMPTION FROM MANDATORY SEPARA-*
 4 *TION.—Section 8335(c) or 8425(c) of title 5, United*
 5 *States Code, shall not apply to any Library of Con-*
 6 *gress Police employee who becomes a member of the*
 7 *Capitol Police under this subsection, until the earlier*
 8 *of—*

9 *(A) the date on which the individual is en-*
 10 *titled to an annuity for immediate retirement*
 11 *under section 8336(b) or 8412(b) of title 5,*
 12 *United States Code; or*

13 *(B) the date on which the individual—*

14 *(i) is 57 years of age or older; and*

15 *(ii) is entitled to an annuity for imme-*
 16 *diate retirement under section 8336(m) or*
 17 *8412(d) of title 5, United States Code, (as*
 18 *determined by taking into account para-*
 19 *graph (3)(A)).*

20 (3) *TREATMENT OF PRIOR CREDITABLE SERVICE*
 21 *FOR RETIREMENT PURPOSES.—*

22 *(A) PRIOR SERVICE FOR PURPOSES OF ELI-*
 23 *GIBILITY FOR IMMEDIATE RETIREMENT AS MEM-*
 24 *BER OF CAPITOL POLICE.—Any Library of Con-*
 25 *gress Police employee who becomes a member of*

1 *the Capitol Police under this subsection shall be*
2 *entitled to have any creditable service under sec-*
3 *tion 8332 or 8411 of title 5, United States Code,*
4 *that was accrued prior to becoming a member of*
5 *the Capitol Police included in calculating the*
6 *employee's service as a member of the Capitol*
7 *Police for purposes of section 8336(m) or 8412(d)*
8 *of title 5, United States Code.*

9 (B) *PRIOR SERVICE FOR PURPOSES OF*
10 *COMPUTATION OF ANNUITY.—Any creditable*
11 *service under section 8332 or 8411 of title 5,*
12 *United States Code, of an individual who be-*
13 *comes a member of the Capitol Police under this*
14 *subsection that was accrued prior to becoming a*
15 *member of the Capitol Police—*

16 (i) *shall be treated and computed as*
17 *employee service under section 8339 or sec-*
18 *tion 8415 of such title; but*

19 (ii) *shall not be treated as service as a*
20 *member of the Capitol Police or service as*
21 *a congressional employee for purposes of ap-*
22 *plying any formula under section 8339(b),*
23 *8339(q), 8415(c), or 8415(d) of such title*
24 *under which a percentage of the individ-*

1 *ual's average pay is multiplied by the years*
 2 *(or other period) of such service.*

3 *(c) DUTIES OF EMPLOYEES TRANSFERRED TO CIVIL-*
 4 *IAN POSITIONS.—*

5 *(1) DUTIES.—The duties of any individual who*
 6 *becomes a civilian employee of the Capitol Police*
 7 *under this section, including a Library of Congress*
 8 *Police civilian employee under subsection (a)(2) and*
 9 *a Library of Congress Police employee who becomes a*
 10 *civilian employee of the Capitol Police under sub-*
 11 *section (b)(1)(B), shall be determined solely by the*
 12 *Chief of the Capitol Police, except that a Library of*
 13 *Congress Police civilian employee under subsection*
 14 *(a)(2) shall continue to support Library of Congress*
 15 *police operations until all Library of Congress Police*
 16 *employees are transferred to the United States Capitol*
 17 *Police under this section.*

18 *(2) FINALITY OF DETERMINATIONS.—Any deter-*
 19 *mination of the Chief of the Capitol Police under this*
 20 *subsection shall not be appealable or reviewable in*
 21 *any manner.*

22 *(d) PROTECTING STATUS OF TRANSFERRED EMPLOY-*
 23 *EES.—*

24 *(1) NONREDUCTION IN PAY, RANK, OR GRADE.—*
 25 *The transfer of any individual under this section*

1 *shall not cause that individual to be separated or re-*
 2 *duced in basic pay, rank or grade.*

3 (2) *LEAVE AND COMPENSATORY TIME.*—*Any an-*
 4 *nual leave, sick leave, or other leave, or compensatory*
 5 *time, to the credit of an individual transferred under*
 6 *this section shall be transferred to the credit of that*
 7 *individual as a member or an employee of the Capitol*
 8 *Police (as the case may be). The treatment of leave or*
 9 *compensatory time transferred under this section*
 10 *shall be governed by regulations of the Capitol Police*
 11 *Board.*

12 (3) *PROHIBITING IMPOSITION OF PROBATIONARY*
 13 *PERIOD.*—*The Chief of the Capitol Police may not*
 14 *impose a period of probation with respect to the*
 15 *transfer of any individual who is transferred under*
 16 *this section.*

17 (e) *RULES OF CONSTRUCTION RELATING TO EM-*
 18 *PLOYEE REPRESENTATION.*—

19 (1) *EMPLOYEE REPRESENTATION.*—*Nothing in*
 20 *this Act shall be construed to authorize any labor or-*
 21 *ganization that represented an individual who was a*
 22 *Library of Congress police employee or a Library of*
 23 *Congress police civilian employee before the individ-*
 24 *ual's transfer date to represent that individual as a*

1 *member of the Capitol Police or an employee of the*
 2 *Capitol Police after the individual's transfer date.*

3 (2) *AGREEMENTS NOT APPLICABLE.—Nothing in*
 4 *this Act shall be construed to authorize any collective*
 5 *bargaining agreement (or any related court order,*
 6 *stipulated agreement, or agreement to the terms or*
 7 *conditions of employment) applicable to Library of*
 8 *Congress police employees or to Library of Congress*
 9 *police civilian employees to apply to members of the*
 10 *Capitol Police or to civilian employees of the Capitol*
 11 *Police.*

12 (f) *RULE OF CONSTRUCTION RELATING TO PER-*
 13 *SONNEL AUTHORITY OF THE CHIEF OF THE CAPITOL PO-*
 14 *LICE.—Nothing in this Act shall be construed to affect the*
 15 *authority of the Chief of the Capitol Police to—*

16 (1) *terminate the employment of a member of the*
 17 *Capitol Police or a civilian employee of the Capitol*
 18 *Police; or*

19 (2) *transfer any individual serving as a member*
 20 *of the Capitol Police or a civilian employee of the*
 21 *Capitol Police to another position with the Capitol*
 22 *Police.*

23 (g) *TRANSFER DATE DEFINED.—In this Act, the term*
 24 *“transfer date” means, with respect to an employee—*

1 (1) *in the case of a Library of Congress Police*
 2 *employee who becomes a member of the Capitol Police,*
 3 *the first day of the first pay period applicable to*
 4 *members of the United States Capitol Police which be-*
 5 *gins after the date on which the Chief of the Capitol*
 6 *Police issues the written certification for the employee*
 7 *under subsection (b)(1);*

8 (2) *in the case of a Library of Congress Police*
 9 *employee who becomes a civilian employee of the Cap-*
 10 *itol Police, the first day of the first pay period appli-*
 11 *cable to employees of the United States Capitol Police*
 12 *which begins after September 30, 2009; or*

13 (3) *in the case of a Library of Congress Police*
 14 *civilian employee, the first day of the first pay period*
 15 *applicable to employees of the United States Capitol*
 16 *Police which begins after September 30, 2008.*

17 (h) *CANCELLATION IN PORTION OF UNOBLIGATED*
 18 *BALANCE OF FEDLINK REVOLVING FUND.—Amounts*
 19 *available for obligation by the Librarian of Congress as of*
 20 *the date of the enactment of this Act from the unobligated*
 21 *balance in the revolving fund established under section 103*
 22 *of the Library of Congress Fiscal Operations Improvement*
 23 *Act of 2000 (2 U.S.C. 182c) for the Federal Library and*
 24 *Information Network program of the Library of Congress*
 25 *and the Federal Research program of the Library of Con-*

1 *gress are reduced by a total of \$560,000, and the amount*
2 *so reduced is hereby cancelled.*

3 **SEC. 3. TRANSITION PROVISIONS.**

4 *(a) TRANSFER AND ALLOCATIONS OF PROPERTY AND*
5 *APPROPRIATIONS.—*

6 *(1) IN GENERAL.—Effective on the transfer date*
7 *of any Library of Congress Police employee and Li-*
8 *brary of Congress Police civilian employee who is*
9 *transferred under this Act—*

10 *(A) the assets, liabilities, contracts, prop-*
11 *erty, and records associated with the employee*
12 *shall be transferred to the Capitol Police; and*

13 *(B) the unexpended balances of appropria-*
14 *tions, authorizations, allocations, and other*
15 *funds employed, used, held, arising from, avail-*
16 *able to, or to be made available in connection*
17 *with the employee shall be transferred to and*
18 *made available under the appropriations ac-*
19 *counts for the Capitol Police for “Salaries” and*
20 *“General Expenses”, as applicable.*

21 *(2) JOINT REVIEW.—During the transition pe-*
22 *riod, the Chief of the Capitol Police and the Librar-*
23 *ian of Congress shall conduct a joint review of the as-*
24 *sets, liabilities, contracts, property records, and unex-*
25 *pended balances of appropriations, authorizations, al-*

1 *locations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the transfer under this Act.*

4 *(b) TREATMENT OF ALLEGED VIOLATIONS OF CERTAIN*
5 *EMPLOYMENT LAWS WITH RESPECT TO TRANSFERRED IN-*
6 *DIVIDUALS.—*

7 *(1) IN GENERAL.—Notwithstanding any other*
8 *provision of law and except as provided in paragraph*
9 *(3), in the case of an alleged violation of any covered*
10 *law (as defined in paragraph (4)) which is alleged to*
11 *have occurred prior to the transfer date with respect*
12 *to an individual who is transferred under this Act,*
13 *and for which the individual has not exhausted all of*
14 *the remedies available for the consideration of the al-*
15 *leged violation which are provided for employees of*
16 *the Library of Congress under the covered law prior*
17 *to the transfer date, the following shall apply:*

18 *(A) The individual may not initiate any*
19 *procedure which is available for the consider-*
20 *ation of the alleged violation of the covered law*
21 *which is provided for employees of the Library*
22 *of Congress under the covered law.*

23 *(B) To the extent that the individual has*
24 *initiated any such procedure prior to the trans-*

1 *fer date, the procedure shall terminate and have*
2 *no legal effect.*

3 *(C) Subject to paragraph (2), the individual*
4 *may initiate and participate in any procedure*
5 *which is available for the resolution of grievances*
6 *of officers and employees of the Capitol Police*
7 *under the Congressional Accountability Act of*
8 *1995 (2 U.S.C. 1301 et seq.) to provide for con-*
9 *sideration of the alleged violation. The previous*
10 *sentence does not apply in the case of an alleged*
11 *violation for which the individual exhausted all*
12 *of the available remedies which are provided for*
13 *employees of the Library of Congress under the*
14 *covered law prior to the transfer date.*

15 *(2) SPECIAL RULES FOR APPLYING CONGRES-*
16 *SIONAL ACCOUNTABILITY ACT OF 1995.—In applying*
17 *paragraph (1)(C) with respect to an individual to*
18 *whom this subsection applies, for purposes of the con-*
19 *sideration of the alleged violation under the Congres-*
20 *sional Accountability Act of 1995—*

21 *(A) the date of the alleged violation shall be*
22 *the individual's transfer date;*

23 *(B) notwithstanding the third sentence of*
24 *section 402(a) of such Act (2 U.S.C. 1402(a)),*
25 *the individual's request for counseling under*

1 *such section shall be made not later than 60 days*
 2 *after the date of the alleged violation; and*

3 *(C) the employing office of the individual at*
 4 *the time of the alleged violation shall be the Cap-*
 5 *itol Police Board.*

6 (3) *EXCEPTION FOR ALLEGED VIOLATIONS SUB-*
 7 *JECT TO HEARING PRIOR TO TRANSFER.—Paragraph*
 8 *(1) does not apply with respect to an alleged violation*
 9 *for which a hearing has commenced in accordance*
 10 *with the covered law on or before the transfer date.*

11 (4) *COVERED LAW DEFINED.—In this subsection,*
 12 *a “covered law” is any law for which the remedy for*
 13 *an alleged violation is provided for officers and em-*
 14 *ployees of the Capitol Police under the Congressional*
 15 *Accountability Act of 1995 (2 U.S.C. 1301 et seq.).*

16 (c) *AVAILABILITY OF DETAILEES DURING TRANSITION*
 17 *PERIOD.—During the transition period, the Chief of the*
 18 *Capitol Police may detail additional members of the Cap-*
 19 *itol Police to the Library of Congress, without reimburse-*
 20 *ment.*

21 (d) *EFFECT ON EXISTING MEMORANDUM OF UNDER-*
 22 *STANDING.—The Memorandum of Understanding between*
 23 *the Library of Congress and the Capitol Police entered into*
 24 *on December 12, 2004, shall remain in effect during the*
 25 *transition period, subject to—*

1 (1) *the provisions of this Act; and*

2 (2) *such modifications as may be made in ac-*
 3 *cordance with the modification and dispute resolution*
 4 *provisions of the Memorandum of Understanding,*
 5 *consistent with the provisions of this Act.*

6 (e) *RULE OF CONSTRUCTION RELATING TO PER-*
 7 *SONNEL AUTHORITY OF THE LIBRARIAN OF CONGRESS.—*
 8 *Nothing in this Act shall be construed to affect the authority*
 9 *of the Librarian of Congress to—*

10 (1) *terminate the employment of a Library of*
 11 *Congress Police employee or Library of Congress Po-*
 12 *lice civilian employee; or*

13 (2) *transfer any individual serving in a Library*
 14 *of Congress Police employee position or Library of*
 15 *Congress Police civilian employee position to another*
 16 *position at the Library of Congress.*

17 **SEC. 4. POLICE JURISDICTION, UNLAWFUL ACTIVITIES,**
 18 **AND PENALTIES.**

19 (a) *JURISDICTION.—*

20 (1) *EXTENSION OF CAPITOL POLICE JURISDIC-*
 21 *TION.—Section 9 of the Act entitled “An Act to define*
 22 *the area of the United States Capitol Grounds, to reg-*
 23 *ulate the use thereof, and for other purposes”, ap-*
 24 *proved July 31, 1946 (2 U.S.C. 1961) is amended by*
 25 *adding at the end the following:*

1 “(d) For purposes of this section, ‘United States Cap-
 2 itol Buildings and Grounds’ shall include the Library of
 3 Congress buildings and grounds described under section 11
 4 of the Act entitled ‘An Act relating to the policing of the
 5 buildings of the Library of Congress’, approved August 4,
 6 1950 (2 U.S.C. 167j), except that in a case of buildings
 7 or grounds not located in the District of Columbia, the au-
 8 thority granted to the Metropolitan Police Force of the Dis-
 9 trict of Columbia shall be granted to any police force within
 10 whose jurisdiction the buildings or grounds are located.”.

11 (2) *REPEAL OF LIBRARY OF CONGRESS POLICE*
 12 *JURISDICTION.*—The first section and sections 7 and
 13 9 of the Act of August 4, 1950 (2 U.S.C. 167, 167f,
 14 167h) are repealed on October 1, 2009.

15 (b) *UNLAWFUL ACTIVITIES AND PENALTIES.*—

16 (1) *EXTENSION OF UNITED STATES CAPITOL*
 17 *BUILDINGS AND GROUNDS PROVISIONS TO THE LI-*
 18 *BRARY OF CONGRESS BUILDINGS AND GROUNDS.*—

19 (A) *CAPITOL BUILDINGS.*—Section 5101 of
 20 title 40, United States Code, is amended by in-
 21 serting “all buildings on the real property de-
 22 scribed under section 5102(d)” after “(including
 23 the Administrative Building of the United States
 24 Botanic Garden)”.

1 (B) *CAPITOL GROUNDS.*—Section 5102 of
 2 *title 40, United States Code, is amended by add-*
 3 *ing at the end the following:*

4 “(d) *LIBRARY OF CONGRESS BUILDINGS AND*
 5 *GROUNDS.*—

6 “(1) *IN GENERAL.*—Except as provided under
 7 *paragraph (2), the United States Capitol Grounds*
 8 *shall include the Library of Congress grounds de-*
 9 *scribed under section 11 of the Act entitled ‘An Act*
 10 *relating to the policing of the buildings of the Library*
 11 *of Congress’, approved August 4, 1950 (2 U.S.C.*
 12 *167j).*

13 “(2) *AUTHORITY OF LIBRARIAN OF CONGRESS.*—
 14 *Notwithstanding subsections (a) and (b), the Librar-*
 15 *ian of Congress shall retain authority over the Li-*
 16 *brary of Congress buildings and grounds in accord-*
 17 *ance with section 1 of the Act of June 29, 1922 (2*
 18 *U.S.C. 141; 42 Stat. 715).’.*

19 (C) *CONFORMING AMENDMENT RELATING TO*
 20 *DISORDERLY CONDUCT.*—Section 5104(e)(2) of
 21 *title 40, United States Code, is amended by*
 22 *striking subparagraph (C) and inserting the fol-*
 23 *lowing:*

24 “(C) *with the intent to disrupt the orderly*
 25 *conduct of official business, enter or remain in*

1 *a room in any of the Capitol Buildings set aside*
 2 *or designated for the use of—*

3 “(i) *either House of Congress or a*
 4 *Member, committee, officer, or employee of*
 5 *Congress, or either House of Congress; or*

6 “(ii) *the Library of Congress;*”.

7 (2) *REPEAL OF OFFENSES AND PENALTIES SPECIFIC TO THE LIBRARY OF CONGRESS.*—Sections 2, 3,
 8 4, 5, 6, and 8 of the Act of August 4, 1950 (2 U.S.C.
 9 167a, 167b, 167c, 167d, 167e, and 167g) are repealed.
 10 167a, 167b, 167c, 167d, 167e, and 167g) are repealed.

11 (3) *SUSPENSION OF PROHIBITIONS AGAINST USE*
 12 *OF LIBRARY OF CONGRESS BUILDINGS AND*
 13 *GROUNDS.*—Section 10 of the Act of August 4, 1950
 14 (2 U.S.C. 167i) is amended by striking “2 to 6, inclu-
 15 sive, of this Act” and inserting “5103 and 5104 of
 16 title 40, United States Code”.

17 (4) *CONFORMING AMENDMENT TO DESCRIPTION*
 18 *OF LIBRARY OF CONGRESS GROUNDS.*—Section 11 of
 19 the Act of August 4, 1950 (2 U.S.C. 167j) is
 20 amended—

21 (A) in subsection (a), by striking “For the
 22 purposes of this Act the” and inserting “The”;

23 (B) in subsection (b), by striking “For the
 24 purposes of this Act, the” and inserting “The”;

1 (C) in subsection (c), by striking “For the
2 purposes of this Act, the” and inserting “The”;
3 and

4 (D) in subsection (d), by striking “For the
5 purposes of this Act, the” and inserting “The”.

6 (c) *CONFORMING AMENDMENT RELATING TO JURIS-*
7 *DICTION OF INSPECTOR GENERAL OF LIBRARY OF CON-*
8 *GRESS.*—Section 1307(b)(1) of the Legislative Branch Ap-
9 propriations Act, 2006 (2 U.S.C. 185(b)), is amended by
10 striking the semicolon at the end and inserting the fol-
11 lowing: “, except that nothing in this paragraph may be
12 construed to authorize the Inspector General to audit or in-
13 vestigate any operations or activities of the United States
14 Capitol Police;”.

15 (d) *EFFECTIVE DATE.*—The amendments made by this
16 section shall take effect October 1, 2009.

17 **SEC. 5. COLLECTIONS, PHYSICAL SECURITY, CONTROL, AND**
18 **PRESERVATION OF ORDER AND DECORUM**
19 **WITHIN THE LIBRARY.**

20 (a) *ESTABLISHMENT OF REGULATIONS.*—The Librar-
21 ian of Congress shall establish standards and regulations
22 for the physical security, control, and preservation of the
23 Library of Congress collections and property, and for the
24 maintenance of suitable order and decorum within Library
25 of Congress.

1 (b) *TREATMENT OF SECURITY SYSTEMS.*—

2 (1) *RESPONSIBILITY FOR SECURITY SYSTEMS.*—

3 *In accordance with the authority of the Capitol Police*
 4 *and the Librarian of Congress established under this*
 5 *Act, the amendments made by this Act, and the provi-*
 6 *sions of law referred to in paragraph (3), the Chief*
 7 *of the Capitol Police and the Librarian of Congress*
 8 *shall be responsible for the operation of security sys-*
 9 *tems at the Library of Congress buildings and*
 10 *grounds described under section 11 of the Act of Au-*
 11 *gust 4, 1950, in consultation and coordination with*
 12 *each other, subject to the following:*

13 (A) *The Librarian of Congress shall be re-*
 14 *sponsible for the design of security systems for*
 15 *the control and preservation of Library collec-*
 16 *tions and property, subject to the review and ap-*
 17 *proval of the Chief of the Capitol Police.*

18 (B) *The Librarian of Congress shall be re-*
 19 *sponsible for the operation of security systems at*
 20 *any building or facility of the Library of Con-*
 21 *gress which is located outside of the District of*
 22 *Columbia, subject to the review and approval of*
 23 *the Chief of the Capitol Police.*

24 (2) *INITIAL PROPOSAL FOR OPERATION OF SYS-*
 25 *TEMS.*—*Not later than October 1, 2008, the Chief of*

1 *the Capitol Police, in coordination with the Librar-*
 2 *ian of Congress, shall prepare and submit to the Com-*
 3 *mittee on House Administration of the House of Rep-*
 4 *resentatives, the Committee on Rules and Administra-*
 5 *tion of the Senate, and the Committees on Appropria-*
 6 *tions of the House of Representatives and the Senate*
 7 *an initial proposal for carrying out this subsection.*

8 (3) *PROVISIONS OF LAW.—The provisions of law*
 9 *referred to in this paragraph are as follows:*

10 (A) *Section 1 of the Act of June 29, 1922*
 11 *(2 U.S.C. 141).*

12 (B) *The undesignated provision under the*
 13 *heading “General Provision, This Chapter” in*
 14 *chapter 5 of title II of division B of the Omnibus*
 15 *Consolidated and Emergency Supplemental Ap-*
 16 *propriations Act, 1999 (2 U.S.C. 141a).*

17 (C) *Section 308 of the Legislative Branch*
 18 *Appropriations Act, 1996 (2 U.S.C. 1964).*

19 (D) *Section 308 of the Legislative Branch*
 20 *Appropriations Act, 1997 (2 U.S.C. 1965).*

21 **SEC. 6. PAYMENT OF CAPITOL POLICE SERVICES PROVIDED**
 22 **IN CONNECTION WITH RELATING TO LIBRARY**
 23 **OF CONGRESS SPECIAL EVENTS.**

24 (a) *PAYMENTS OF AMOUNTS DEPOSITED IN REVOLV-*
 25 *ING FUND.—Section 102(e) of the Library of Congress Fis-*

1 *cal Operations Improvement Act of 2000 (2 U.S.C. 182b(e))*
 2 *is amended to read as follows:*

3 “(e) *USE OF AMOUNTS.*—

4 “(1) *IN GENERAL.*—*Except as provided in para-*
 5 *graph (2), amounts in the accounts of the revolving*
 6 *fund under this section shall be available to the Li-*
 7 *brarian, in amounts specified in appropriations Acts*
 8 *and without fiscal year limitation, to carry out the*
 9 *programs and activities covered by such accounts.*

10 “(2) *SPECIAL RULE FOR PAYMENTS FOR CERTAIN*
 11 *CAPITOL POLICE SERVICES.*—*In the case of any*
 12 *amount in the revolving fund consisting of a payment*
 13 *received for services of the United States Capitol Po-*
 14 *lice in connection with a special event or program de-*
 15 *scribed in subsection (a)(4), the Librarian shall*
 16 *transfer such amount upon receipt to the Capitol Po-*
 17 *lice for deposit into the applicable appropriations ac-*
 18 *counts of the Capitol Police.”.*

19 (b) *USE OF OTHER LIBRARY FUNDS TO MAKE PAY-*
 20 *MENTS.*—*In addition to amounts transferred pursuant to*
 21 *section 102(e)(2) of the Library of Congress Fiscal Oper-*
 22 *ations Improvement Act of 2000 (as added by subsection*
 23 *(a)), the Librarian of Congress may transfer amounts made*
 24 *available for salaries and expenses of the Library of Con-*
 25 *gress during a fiscal year to the applicable appropriations*

1 *accounts of the United States Capitol Police in order to re-*
 2 *imburse the Capitol Police for services provided in connec-*
 3 *tion with a special event or program described in section*
 4 *102(a)(4) of such Act.*

5 (c) *EFFECTIVE DATE.*—*The amendments made by this*
 6 *section shall apply with respect to services provided by the*
 7 *United States Capitol Police on or after the date of the en-*
 8 *actment of this Act.*

9 **SEC. 7. OTHER CONFORMING AMENDMENTS.**

10 (a) *IN GENERAL.*—*Section 1015 of the Legislative*
 11 *Branch Appropriations Act, 2003 (2 U.S.C. 1901 note) and*
 12 *section 1006 of the Legislative Branch Appropriations Act,*
 13 *2004 (2 U.S.C. 1901 note; Public Law 108–83; 117 Stat.*
 14 *1023) are repealed.*

15 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*
 16 *section (a) shall take effect October 1, 2009.*

17 **SEC. 8. DEFINITIONS.**

18 *In this Act—*

19 (1) *the term “Act of August 4, 1950” means the*
 20 *Act entitled “An Act relating to the policing of the*
 21 *buildings and grounds of the Library of Congress,” (2*
 22 *U.S.C. 167 et seq.);*

23 (2) *the term “Library of Congress Police em-*
 24 *ployee” means an employee of the Library of Congress*

1 *designated as police under the first section of the Act*
2 *of August 4, 1950 (2 U.S.C. 167);*

3 *(3) the term “Library of Congress Police civilian*
4 *employee” means an employee of the Library of Con-*
5 *gress Office of Security and Emergency Preparedness*
6 *who provides direct administrative support to, and is*
7 *supervised by, the Library of Congress Police, but*
8 *shall not include an employee of the Library of Con-*
9 *gress who performs emergency preparedness or collec-*
10 *tions control and preservation functions; and*

11 *(4) the term “transition period” means the pe-*
12 *riod the first day of which is the date of the enact-*
13 *ment of this Act and the final day of which is Sep-*
14 *tember 30, 2009.*

Attest:

Secretary.

110TH CONGRESS
1ST SESSION

H. R. 3690

AMENDMENT